

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BRIDGEPORT MUSIC, INC., et al.)
)
v.)
)
11C MUSIC, et al.)

NO. 3:01-0412
JUDGE CAMPBELL

ORDER

The Court hereby gives notice to all parties that the attached dispositive Motions have been filed:

1. Defendant Palm Pictures, LLC's Motion to Strike or Dismiss Plaintiffs' Complaint (Docket No. 194);
2. Defendant Palm Pictures, LLC's Alternative Motion to Sever (Docket No. 195);
3. Motion of Defendants Paramount Pictures Corporation, a Viacom Company, and Famous Music Corporation to Strike or Dismiss Plaintiffs' Complaint (Docket No. 196);
4. Defendants New Line Cinema Corporation and New Line Productions, Inc., Motion to Strike or Dismiss Plaintiffs' Complaint (Docket No. 198);
5. Motion of Defendant Burger King Corporation to Strike or Dismiss Plaintiffs' Complaint (Docket No. 208); and
6. Defendants Elektra Entertainment Group Inc. and Unichappel Music Inc. Motion to Strike to Strike or Dismiss Plaintiffs' Complaint (Docket No. 209).

This document was entered on
the docket in compliance with
Rule 58 and / or Rule 79 (a).

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The Clerk is directed to serve this Order on the Defendants who filed the above Motions, the Plaintiffs, and as directed in the Order (Docket No. 2) entered on May 8, 2001. The Clerk shall also post this Order on the Court's website (<http://www.tnmd.uscourts.gov/>).

IT IS SO ORDERED.


TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE

FILED *KM*
U.S. DISTRICT COURT
MIDDLE DISTRICT OF TENN

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JUN 29 2001

BY *[Signature]*
DEPUTY CLERK

**BRIDGEPORT MUSIC, INC., SOUTHFIELD MUSIC,)
INC., WESTBOUND RECORDS, INC., and)
NINE RECORDS, INC.)**

Plaintiffs,)

v.)

11C MUSIC, et al.)

Defendants.)

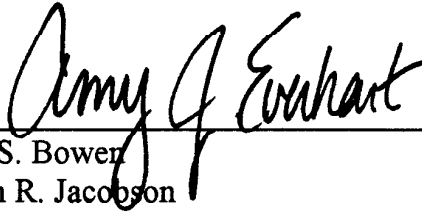
**No. 3:01-0412
JURY DEMAND**

**Judge Campbell
Magistrate Judge
Brown**

**DEFENDANT PALM PICTURES, LLC'S
MOTION TO STRIKE OR DISMISS PLAINTIFFS' COMPLAINT**

Pursuant to Rules 8 and 12(f) of the Federal Rules of Civil Procedure, Defendant Palm Pictures, LLC moves to strike or dismiss Plaintiffs' entire Complaint in this matter with prejudice, or, in the alternative, without prejudice. In support of this Motion, Defendant relies on the record in this case and the Memorandum in Support of Defendants' Motion to Strike or Dismiss Plaintiffs' Complaint filed on June 20, 2001, by certain Sony and AOL Time Warner Defendants and Defendant Justin Combs Publishing.

194



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Attorneys for Defendant Palm Pictures, LLC

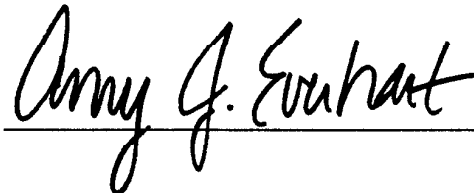
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via facsimile and U.S. Mail, postage prepaid, upon the following:

Richard S. Busch
D'Lesli M. Davis
KING & BALLOW
1100 Union Street Plaza
315 Union Street
Nashville, Tennessee 37201

Joseph Della Maria
ROTHCHILD, BARRY, & MYERS
55 West Monroe Street, Suite 3900
Chicago, Illinois 60603

This the 29th day of June, 2001.



**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

FILED *km*
U.S. DISTRICT COURT
MIDDLE DISTRICT OF TENN

JUN 29 2001

BY *Op*
DEPUTY CLERK

**BRIDGEPORT MUSIC, INC., SOUTHFIELD MUSIC,)
INC., WESTBOUND RECORDS, INC., and)
NINE RECORDS, INC.)**

Plaintiffs,)

v.)

11C MUSIC, et al.)

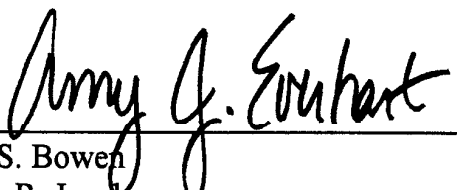
Defendants.)

**No. 3:01-0412
JURY DEMAND**

**Judge Campbell
Magistrate Judge
Brown**

DEFENDANT PALM PICTURES, LLC'S ALTERNATIVE MOTION TO SEVER

Pursuant to Rules 20 and 21 of the Federal Rules of Civil Procedure, Defendant Palm Pictures, LLC ("Palm Pictures") moves for an order severing from Plaintiffs' Complaint each of the copyright infringement counts that have been asserted against Palm Pictures and directing that each of those counts, once severed, proceed as separate actions. Of the 486 counts in Plaintiffs' Complaint, only three of them, Counts 262, 266 and 366, have been asserted against Palm Pictures. In support of this Motion, Palm Pictures relies on the record in this case and the Memorandum in Support of the BMG Defendants' Alternative Motion to Sever filed on June 25, 2001.


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Attorneys for Defendant Palm Pictures, LLC

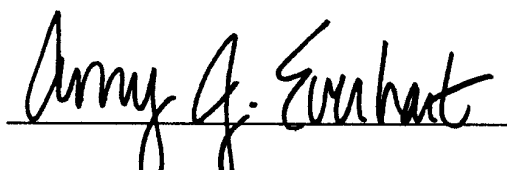
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Richard S. Busch
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Joseph Della Maria
ROTHCHILD, BARRY, & MYERS
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Chicago, Illinois 60603

This the 29th day of June, 2001.



IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

FILED KM
U.S. DISTRICT COURT
MIDDLE DISTRICT OF TENN.
JUL 02 2001
BY gi
DEPUTY CLERK

BRIDGEPORT MUSIC, INC., SOUTHFIELD
MUSIC, INC., WESTBOUND RECORDS, INC.,
and NINE RECORDS, INC.

Plaintiffs,

v.

11C MUSIC, et al.,

Defendants.

No. 3:01-0412

JURY DEMAND

Judge Campbell
Magistrate Judge
Brown

**MOTION OF DEFENDANTS PARAMOUNT PICTURES CORPORATION,
A VIACOM COMPANY, AND FAMOUS MUSIC CORPORATION
TO STRIKE OR DISMISS PLAINTIFFS' COMPLAINT**

Defendants, Paramount Pictures Corporation, a Viacom Company, and Famous Music Corporation, ("Defendants") move the Court pursuant to Rule 8 and Rule 12(f) of the Federal Rules of Civil Procedure to strike Plaintiffs' entire Complaint and dismiss this action without prejudice. As grounds for this Motion, these Defendants would show to the Court that the Complaint fails to present "a short and plain statement" of the claims in accordance with Rule 8 of the Federal Rules of Civil Procedure. In support of its Motion, Defendants have filed a Memorandum of Law and Defendants also rely upon the Memorandum filed in Support of the Motion to Strike by the Sony and AOL-Time Warner related entities and the Memorandum filed in Support of the Motion to Strike by EMI April Music et al.

Respectfully submitted,



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(615) 749-8308 – facsimile
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Attorney for Paramount Pictures,
a Viacom Company, and
Famous Music Corporation

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via facsimile and U.S. Mail, postage prepaid, upon:

Richard S. Busch
D'Lesli M. Davis
KING & BALLOW
1100 Union Street Plaza
315 Union Street
Nashville, Tennessee 37201

and via U.S. Mail, postage prepaid, upon:

Joseph Della Maria
ROTHCHILD, BARRY, & MYERS
55 West Monroe Street, Suite 3900
Chicago, Illinois 60603

This the 2nd day of July, 2001.



IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JUL 02 2001

BRIDGEPORT MUSIC, INC., SOUTHFIELD MUSIC,)
INC., WESTBOUND RECORDS, INC., and)
NINE RECORDS, INC.)

Plaintiffs,)

v.)

11C MUSIC, et al.)

Defendants.)

No. 3:01-0412
JURY DEMAND

Judge Campbell
Magistrate Judge
Brown

MOTION TO STRIKE OR DISMISS PLAINTIFFS' COMPLAINT

Pursuant to Rules 8, 12(b)(2)-(5) and 12(f) of the Federal Rules of Civil Procedure, Defendants New Line Cinema Corporation and New Line Productions, Inc. move to strike or dismiss Plaintiffs' entire Complaint in this matter with prejudice, or, in the alternative, without prejudice. In support of this Motion, Defendants rely on the record in this case and the Memorandum in Support of Defendants' Motion to Strike or Dismiss Plaintiffs' Complaint filed on June 20, 2001, by certain Sony and AOL Time Warner Defendants and Defendant Justin Combs Publishing.



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Attorneys for Defendants New Line Cinema Corporation
and New Line Productions, Inc.

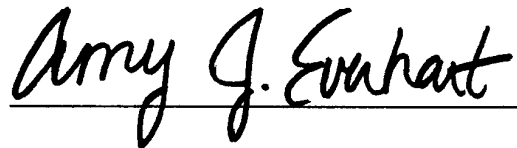
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via facsimile and U.S. Mail, postage prepaid, upon the following:

Richard S. Busch
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KING & BALLOW
1100 Union Street Plaza
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Nashville, Tennessee 37201

Joseph Della Maria
ROTHCHILD, BARRY, & MYERS
55 West Monroe Street, Suite 3900
Chicago, Illinois 60603

This the 2nd day of July, 2001.



IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

FILED
U. S. DISTRICT COURT
MIDDLE DISTRICT OF TENN.

JUL 05 2001

BRIDGEPORT MUSIC, INC.,
et al.,

Plaintiffs,

vs.

11C MUSIC, et al. ,

Defendants.

BY
DEPUTY CLERK

No. 01-CV-412

Judge Campbell
Magistrate Judge Brown

JURY DEMAND

**MOTION OF DEFENDANT BURGER KING CORPORATION
TO STRIKE OR DISMISS PLAINTIFFS' COMPLAINT**

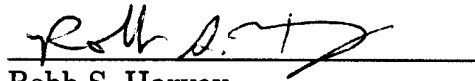
Defendant Burger King Corporation ("BKC") moves the Court, pursuant to Rules 8 and 12(f) of the Federal Rules of Civil Procedure, to strike Plaintiffs' complaint and dismiss this action. As grounds for this Motion, this Defendant would show the Court that the Complaint fails to present a "short and plain statement" of the claims in accordance with Fed. R. Civ. P. 8. In support of this Motion, defendant BKC relies upon the record in this case and the memoranda filed in support of the motion of certain Sony and AOL-Time Warner defendants and Justin Combs Publishing and the motion of the EMI defendants.¹

Accordingly, BKC asks that its Motion be granted.

¹ BKC preserves all rights and defenses, specifically including but not limited to an assertion of Fed. R. Civ. P. 12(b)(2), 12(b)(3), 12(b)(6), & 12(b)(7), 20 and 21.
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Respectfully submitted,

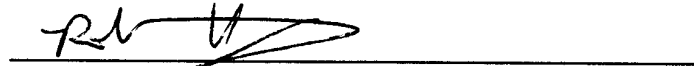


Robb S. Harvey
WALLER LANSDEN DORTCH & DAVIS,
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(615) 244-6380

Attorneys for Defendant Burger King
Corporation

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been sent by first class mail, postage prepaid, to the following: Richard S. Busch and D'Leslie M. Davis, KING & BALLOW, 1100 Union Street Plaza, 315 Union Street, Nashville, Tennessee 37201, this the 5 day of July, 2001.


Robb S. Harvey

FILED
U.S. DISTRICT COURT
MIDDLE DISTRICT OF TENN.

JUL 05 2001

BY gn
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BRIDGEPORT MUSIC, INC., SOUTHFIELD MUSIC,
INC., WESTBOUND RECORDS, INC., and
NINE RECORDS, INC.

Plaintiffs,

v.

11C MUSIC, et al.

Defendants.

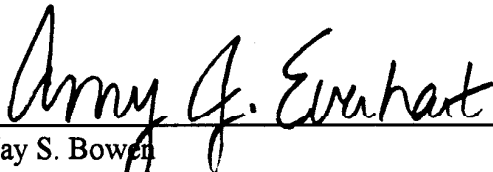
No. 3:01-0412
JURY DEMAND

Judge Campbell
Magistrate Judge
Brown

MOTION TO STRIKE OR DISMISS PLAINTIFFS' COMPLAINT

Pursuant to Rules 8, 12(b)(2)-(5) and 12(f) of the Federal Rules of Civil Procedure, Defendants Elektra Entertainment Group Inc. (erroneously named in the Complaint as Elektra Entertainment Group, Inc.) and Unichappell Music Inc. (erroneously named in the Complaint as Unichappell Music, Inc.) move to strike or dismiss Plaintiffs' entire Complaint in this matter with prejudice, or, in the alternative, without prejudice. In support of this Motion, Defendants rely on the record in this case and the Memorandum in Support of Defendants' Motion to Strike or Dismiss Plaintiffs' Complaint filed on June 20, 2001, by certain Sony and AOL Time Warner Defendants and Defendant Justin Combs Publishing.

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Attorneys for Defendants Elektra Entertainment Group Inc.
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via hand delivery upon the following:

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and via facsimile and U.S. Mail, postage prepaid, upon the following:

Joseph Della Maria
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Chicago, Illinois 60603

This the 5th day of July, 2001.

